

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

R&B Department- Amount to be deposited towards decretal amount towards land acquisition for widening and strengthening of the Warangal – Khammam – Tallada road to the APSHP before the Senior Civil Judge, Khammam in OP No.15/2003, dt: 21-12-2009 – Sanction-Accorded - Orders – Issued.

TRANSPORT, ROADS & BUILDINGS (R.IV) DEPARTMENT
G.O.Rt.No. 514

Dated: 19-5-2012

Read the following:

1. From the CE(R&B) CRN & MD, APRDC,Hyd
Lr.No. APSHP / LA / 825 / 97, dt. 19-02-2011
2. From the CE(R&B) CRN & MD, APRDC,
Hyderabad, Lr.No. APSHP / LA / 825 / 97, dt. 30-7-2011
3. From the CE(R&B) CRN & MD, APRDC,
Hyderabad, Lr.No. APSHP / LA / 825 / 97, dt. 27-10-2011,
01-12-2011.
4. From the CE(R&B) CRN & MD, APRDC, Hyderabad, Lr.No. APSHP
/ LA / 825 / 97, dt. 20-04-2012.

ORDER:

The Chief Engineer (R&B) CRN & Managing Director, A.P Road Development Corporation, Hyderabad in the letter first read above, has stated that the EE(R&B) APRDC, Jagityal has informed that the RDO Khammam has requested an amount of Rs.27,45,812/- to be deposited with the senior civil Judge, Khammam as decretal amount, as part of Land Acquisition of the now completed APSHP Road of Warangal-Khammam-Thalada road taken up with the assistance of the World Bank.

2. The Chief Engineer (R&B) CRN & Managing Director, A.P Road Development Corporation, Hyderabad, has further stated that the Senior Civil Judge, Khammam has passed order enhancing the LA amount vide Judgment Dt:21.12.2009, and the claimant has approached the Senior Civil Judge Khammam through EP for payment of Rs.27,45,812/- of decretal amount. Hence the RDO Khammam, has requested to deposit the decretal amount with the Senior Civil Judge Khammam to avoid any legal complications.

3. The Chief Engineer (R&B) CRN & Managing Director, A.P Road Development Corporation, Hyderabad, has addressed the District Collector, Khammam to file an appeal before the Hon'ble High Court and obtain stay orders against E.P. No.51/2010, for payment of Rs.27,45,812/-.

4. The Chief Engineer (R&B) CRN & Managing Director, A.P Road Development Corporation, Hyderabad in the reference second read above, has stated that the RDO, Khammam, has requested an amount of Rs.27,45,812/- to be deposited before the Senior Civil Judge, Khammam as Decretal Amount, as part of Land Acquisition of the now completed. APSHP Road of Warangal – Khammam – Tallada road, taken up with the loan assistance of the World Bank. The District Collector, Khammam has also written to their office in this regard, to which their office responded requesting him to file an appeal before the Hon'ble high court against the lower court order and obtain a stay order against E.P. No.51/2010.

(P.T.O)

5. The RDO, Khammam has informed that stay orders against and order and decree in LAOP No.15/2003 are awaited from Hon'ble High court and the matter is being pursued with the Govt. Pleader for Appeals, High Court, Hyderabad and the E.P. No.51/2010 in O.P. No.15/2003 is pending before the Hon'ble Sr. Civil Judge, Khammam for payment of the decretal amount to the tune of Rs.27,45,812/-. As such, the RDO, Khammam has requested that the said amount be deposited immediately in order to avoid any legal complications.

6. The Chief Engineer (R&B) CRN & Managing Director, A.P Road Development Corporation, Hyderabad, was informed that as per the information submitted by the RDO, Khammam, it is presumed that the subject matter is pending with the Hon'ble High Court in Appeal and he was therefore, requested to file the Expedition Petition, before the Hon'ble High Court, for staying the lower court order by narrating the urgency of the case immediately, and furnish the action taken in the matter to the Government.

7. The Chief Engineer (R&B) CRN & Managing Director, A.P Road Development Corporation, Hyderabad, has reported that the subject matter of payment of decretal amount is not pending in the Hon'ble High Court.

8. He has also reported that the RDO, Khammam has informed to him, that the High Court has issued interim stay orders in LAASMPNo.897/2011 in LAAS No. 291/2011 Dated:23.03.2011, subject to the condition that half of the decretal amount has to be paid within eight weeks from the date of issue of orders. Accordingly, the CE(R&B) CRN & MD, APRDC, Hyderabad has requested the Government to accord permission to release half of the decretal amount i.e. Rs.13,72,906/- (total amount is Rs.27,45,812/-).

9. The Chief Engineer (R&B) CRN & Managing Director, A.P Road Development Corporation, Hyderabad vide reference fourth read above has furnished the Head of Account- 5054 - COL on Roads and Bridges - 04- District and Other Roads - MH 800 Other Expenditure - GH 11- Normal State Plan - SH(28) Construction of Bridge across river Godavari starting at km.82/4 of Eluru- Gundugollu-Kovvur road on Kovvur side including fly over and bypass (BOT Project), 530- Major Works - 532 Lands to which the amount is to be debited.

10. Government after careful examination of the matter, hereby accord administrative sanction for release of an amount of 50% of the decretal amount i.e. Rs.13,72,906/- to be deposited before the Senior Civil Judge, Khammam as Decretal Amount, as part of Land Acquisition, APSHP Road of Warangal - Khammam - Tallada road, taken up with the loan assistance of the World Bank as per the interim stay orders in LAASMPNo.897/2011 in LAAS No. 291/2011 Dated:23.03.2011.

11. The amount sanctioned in para (10) above, shall be debited to the Head of Account- 5054 - COL on Roads and Bridges - 04- District and Other Roads - MH 800 Other Expenditure - GH 11- Normal State Plan - SH(28) Construction of Bridge across river Godavari starting at km.82/4 of Eluru- Gundugollu-Kovvur road on Kovvur side Joining NH5 at Km 197/4 on Rajahmundry side at Hukumpeta Including Flyover and bypass (BOT Project), 530- Major Works - 532 Lands.

(P.T.O)

12. The Chief Engineer (R&B) CRN & Managing Director, A.P Road Development Corporation, Hyderabad shall draw the amount sanctioned at para (10) above and deposit the same with the Senior Civil Judge, Khammam to avoid any legal complications under intimation to the Government.

13. The Chief Engineer (R&B) CRN & Managing Director, A.P Road Development Corporation, Hyderabad, shall take further action in the matter, accordingly.

14. This order issues with the concurrence of Finance Department vide their U.O.No.12249/473/A2/Exp.pw/2012, dated:16-05-2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Chief Engineer (R&B) CRN & Managing Director,
A.P Road Development Corporation, Hyderabad.

Copy to:

The District Collector, Khammam

The Revenue Divisional Officer, Khammam

The Accountant General, A.P, Hyderabad.

The Pay and Accounts Officer, Hyderabad.

The Finance (BG.I/Exp.PWD) Dept

PS to M(R&B)/ Prl.Secy., R&B

Sf/Sc.

//FORWARDED BY ORDER//

SECTION OFFICER